

Message Text

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PAGE 01 NEW DE 14010 01 OF 02 041332Z
ACTION NEA-10

INFO OCT-01 ISO-00 NEAE-00 CIAE-00 DODE-00 NSAE-00
NSCE-00 SSO-00 USIE-00 INRE-00 PM-05 H-01 INR-07
L-03 PA-01 PRS-01 SP-02 SS-15 ACDA-07 DHA-05
OMB-01 AID-05 TRSE-00 EUR-12 IO-13 /089 W
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FM AMEMBASSY NEW DELHI
TO SECSTATE WASHDC IMMEDIATE 6499
INFO AMEMBASSY DACCA PRIORITY
AMEMBASSY ISLAMABAD PRIORITY
AMEMBASSY KABUL PRIORITY
AMEMBASSY KATHMANDU PRIORITY
CINCPAC PRIORITY
AMCONSUL BOMBAY PRIORITY
AMCONSUL CALCUTTA PRIORITY
AMCONSUL MADRAS PRIORITY

C O N F I D E N T I A L SECTION 1 OF 2 NEW DELHI 14010

CINCPAC FOR POLAD

E.O. 11652: GDS
TAGS: PINT, IN
SUBJECT: POLITICAL IMPLICATIONS OF MRS. GANDHI'S ARREST

REF: NEW DELHI 13948

SUMMARY. IN ARRESTING MRS. GANDHI, THE GOI IS TAKING
THE RISK THAT ITS ACTION WILL BE SEEN AS A POLITICAL
MOVE. THE FORMERPRIME MINISTER, WHO HAS NOW BEEN
RELEASED, HAS SOUGHT TO STRNGTHEN THIS IMPRESSION.
SHE DOUBTLESS HOPES THAT HER ORDEAL WILL GIVE HER THE
MARTYR'S CROWM POLITICAL IMPRISONMENT TRADITIONALLY
AFFORDS IN THE SUBCONTINENT. THE GOI'S CLAIM THAT IT
IS ONLY BRINGING THE CORRUPT TO BOOK WILL BE
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PAGE 02 NEW DE 14010 01 OF 02 041332Z

WIDELY SUSPECTED, WE THINK WITH GOOD REASON. THE
GOVERNMENT IS CALCULATING THAT THE DISCLOSURES
DURING MRS. GANDHI'S TRIAL AND THE REVELATIONS BEFORE
THE INQUIRY COMMISSION WILL DAMAGE OR EVEN FINISH
HER POLITICALLY. IT IS TOO EARLY TO COME TO ANY
JUDGEMENT ABOUT THE ULTIMATE IMPACT OF LAST
NIGHT'S MOVE. END SUMMARY.

1. IN ARRESTING MRS. GANDHI, THE GOI TOOK THE RISK THAT ITS ACTION WOULD BE PRIMARILY VIEWED NOT AS A MOVE TO BRING THE FORMER PM TO BOOK FOR CORRUPT PRACTICES DURING THE EMERGENCY, AS THE CHARGES AGAINST HER STATE, BUT AS AN ACT DESIGNED TO COUNTER A POLITICAL CHALLENGER AND PUNISH A POLITICAL FOE.

2. MRS. GANDHI HAD SOUGHT WELL IN ADVANCE OF HER ARREST TO CREATE THE IMPRESSION THAT IN ITS CONSIDERATION OF THE CASE FOR DETAINING HER THE GOI WAS MOTIVATED BY POLITICS. AS WE HAVE REPORTED, HER COMEBACK EFFORT SEEMED AT LEAST IN PART DESIGNED TO HEAD OFF AN ARREST, HER REASONING BEING THAT HER OWN RETURN TO ACTIVE POLITICS WOULD MAKE HER DETENTION SEEM A POLITICAL COUNTERSTROKE AND THEREFORE MORE OF A RISK FOR THE GOI. HER COMMENTS AND BEHAVIOR AT THE TIME OF HER JAILING LAST NIGHT WERE OBVIOUSLY DESIGNED TO UNDERSCORE THE IMPRESSION THAT SHE WAS THE VICTIM OF A POLITICAL MOVE. HER REFUSAL TO ACCEPT RELEASE ON A PERSONAL BOND WAS PART OF THIS EFFORT. (A DELHI MAGISTRATE ORDERED MRS. GANDHI'S RELEASE IN MID-MORNING, HOWEVER, AND SHE HAS NOW RETURNED TO HER NEW DELHI RESIDENCE WHERE SHE HAS AGAIN ALLEGED THAT SHE IS BEING POLITICALLY VICTIMIZED. THE MAGISTRATE STATED THAT THE CENTRAL BUREAU OF INVESTIGATION HAD NOT PRODUCED CONFIDENTIAL

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PAGE 03 NEW DE 14010 01 OF 02 041332Z

EVIDENCE FOR BELIEVING THAT THE ACCUSATION AGAINST HER WAS WELL FOUNDED AND THUS GROUNDS FOR FURTHER DETENTION. COUNSEL FOR THE CBI, FOR HIS PART, DID NOT ASK FOR ANY FURTHER DETENTION. THE MAGISTRATE HAS NOT FIXED ANY DATE FOR FURTHER HEARING AND WE UNDERSTAND IT IS NOW UP TO THE CBI TO SEEK SUCH A DATE WHEN IT IS PREPARED TO SUBMIT EVIDENCE.)

3. THE GOI JUSTIFICATION FOR THE ARREST WAS STATED BY HOME MINISTER CHARAN SINGH AT HIS SCHEDULED PRESS CONFERENCE THIS MORNING. DECLARING THAT MRS. GANDHI'S ARREST GAVE THE GOVERNMENT NO PLEASURE, CHARAN SINGH EMPHATICALLY DENIED THAT THE GOI WAS INDULGING IN A WITCH-HUNT OR POLITICAL VENDETTA. HE ASSERTED THAT THE LAW OF THE COUNTRY, THE WILL OF THE NATION THAT MISDEEDS NOT GO UNPUNISHED, AND THE IMPERATIVES OF MORALITY IN PUBLIC LIFE LEFT NO CHOICE IN THE MATTER. NO ONE, HE SAID, WAS ABOVE THE LAW, AND CORRUPTION CAN BE CURBED ONLY IF IT IS DEALT A MORTAL BLOW AT THE TOP LEVELS OF GOVERNMENT AND THE BUREAUCRACY.

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PAGE 01 NEW DE 14010 02 OF 02 041350Z
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L-03 PA-01 PRS-01 SP-02 SS-15 ACDA-07 DHA-05
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FM AMEMBASSY NEW DELHI
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C O N F I D E N T I A L SECTION 2 OF 2 NEW DELHI 14010

CINCPAC FOR POLAD

4. IT IS TOO EARLY TO TELL HOW PERSUASIVE SUCH ARGU-
MENTS FROM THE GOVERNMENT SIDE WILL BE. THERE ARE LIKELY
TO BE MANY WHO CONCLUDE THAT THE GOI'S MOTIVES WERE
BASICALLY POLITICAL, AS MRS. GANDHI ALLEGES. THE
FACT THAT THE HOME MINISTER, RECOGNIZED AS THE
STRONGEST ADVOCATE OF THE PM'S DETENTION, IS WIDELY
CONSIDERED VINDICTIVE, PERSONALLY AMBITIOUS, AND AN
INVETERATE OPPONENT OF THE NEHRU FAMILY WILL
STRNGTHEN THESE SUSPICIONS.
SO WILL WHAT SEEMS TO BE THE RELATIVELY UNIMPORTANT
NATURE OF THE CHARGES, PARTICULARLY OF THE ALLEGATION
OF IMPORPER DONATION OF JEEPS BY PRIVATE COMPANIES
FOR POLITICAL CAMPAIGNING, A LONG-STANDING PRACTICE
IN INDIAN POLITICS. THE IMPRESSION THAT POLITICAL
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PAGE 02 NEW DE 14010 02 OF 02 041350Z

MOTIVES WERE IMPORTANT, EVEN DOMINANT, WILL ALSO BE

HEIGHTENED BY AN AWARENESS ON THE PART OF MANY THAT POPULAR DISSATISFACTION WITH JANATA'S PERFORMANCE IS INCREASING, AND THAT UNDER THESE CIRCUMSTANCES A POLITICAL MOVE TO SQUELCH ITS MOST VOCAL OPPONENT WOULD RECOMMEND ITSELF TO THE GOI AND THE RULING PARTY.

5. OUR OWN VIEW IS THAT POLITICAL MOTIVES ALMOST CERTAINLY DID CONTRIBUTE TO THE DECISION, WE BELIEVE THAT PRIME MINISTER DESAI WAS PROBABLY UNDER STRONG PRESSURE FROM SUCH MEN AS CHARAN SINGH AND INDUSTRIES MINISTER GEORGE FERNANDES TO AGREE TO THE ARREST ONCE EVIDENCE HAD BEEN PRODUCED. IT SEEMS PROBABLE THAT IN MAKING THEIR ARGUMENTS TO THE PM, CHARAN SINGH AND OTHERS STRESSED THE LEGAL AND MORAL ASPECTS OF THE MATTER RATHER THAN ITS POLITICAL ADVANTAGES. FOR SOMEONE OF MORARJI'S TURN OF MIND, THE POINT THAT NO ONE SHOULD BE ALLOWED TO STAND ABOVE THE LAW WOULD HAVE OBVIOUS IMPACT IN COUNTERING THE ARGUMENTS OF OTHERS IN THE GOVERNMENT THAT ARREST OF MRS. GANDHI WOULD BE POLITICALLY UNWISE.

6. IT IS ALSO PREMATURE TO FORECAST NOW WHAT EFFECT THE ARREST AND THE TRIAL WHICH WILL PRESUMABLY FOLLOW WILL HAVE ON MRS. GANDHI'S POLITICAL FUTURE. EARLY REACTIONS HAVE BEEN PREDICTABLE. CONGRESSMEN, INCLUDING SOME WHO WERE AT MOST LUKEWARM TO HER COMBACK BID HAVE DECRIED THE GOI'S ACTION, AND HAVE MOUNTED PROTEST DEMONSTRATIONS AGAINST IT IN VARIOUS PARTS OF THE COUNTRY. (IN NEW DELHI, POLICE HAVE BEEN OBLIGED TO USE TEAR GAS TO DISPERSE TWO SUCH GATHERINGS.) THE CONGRESS WORKING

CONFIDENTIAL

PAGE 03 NEW DE 14010 02 OF 02 041350Z

COMMITTEE HAS RALLIED BEHIND HER, AND THE INITIAL IMPACT OF HER ARREST MAY WELL BE TO STRENGTHEN HER POSITION IN THE PARTY. JANATA LEADERS HAVE EXPRESSED THEIR SATISFACTION WITH THE MOVE. MRS. GANDHI, WHO AT LATEST REPORT PLANS TO CONTINUE HER TRAVELS AROUND THE COUNTRY--GUJARAT IS NEXT ON HER ITINERARY--WILL DOUBTLESS HOPE THAT SHE WILL EMERGE FROM HER ORDEAL WITH THE MARTYR'S ADVANTAGES WHICH POLITICAL JAILING TRADITIONALLY AFFORDS IN THE SUBCONTINENT. RECENT DEVELOPMENTS IN PAKISTAN WILL NOT DISCOURAGE HER FROM MAKING SUCH AN ASSESSMENT, AND THE WAY SHE WAS ARRESTED LAST NIGHT WILL CONTRIBUTE TO THE FEELING OF SYMPATHY FOR HER. THE GOI FOR ITS PART IS CALCULATING THAT THE REVELATIONS OF MRS. GANDHI'S PERSONAL CORRUPTION IN OFFICE--WHICH THEY WILL DOUBTLESS SEEK TO SUPPLEMENT WITH FURTHER CASES-- AND THE DISCLOSURES

OF HER HIGH-HANDED AND POSSIBLY ILLEGAL POLITICAL
ACTIONS NOW BEING AIRED BEFORE THE SHAH COMMISSION
INQUIRY INTO THE EXCESSES OF THE EMERGENCY WILL
CONVINCE THE PUBLIC OF HER OWN PERSONAL WRONGDOING
AND PRIVATE GAIN AND REDUCE OR BREAK HER POLITICALLY.
WE WILL SEE. GOHEEN

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